

Senate Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 104

SENATE BILL 1375

AN ACT

REPEALING SECTION 28-142, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 28-142; REPEALING SECTION 41-2052, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 15, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 41-2052; AMENDING SECTION 41-2096, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 15, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-2097; RELATING TO THE REGULATION OF LIVERY VEHICLES, TAXIS AND LIMOUSINES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 28-142, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 28, chapter 1, article 3, Arizona Revised Statutes, is
5 amended by adding a new section 28-142, to read:

6 28-142. Livery vehicle, taxi and limousine regulation; state
7 preemption

8 THE REGULATION AND USE OF LIVERY VEHICLES, TAXIS AND LIMOUSINES ARE OF
9 STATEWIDE CONCERN. LIVERY VEHICLES, TAXIS AND LIMOUSINES AND THEIR USE THAT
10 ARE REGULATED PURSUANT TO THIS TITLE ARE NOT SUBJECT TO FURTHER REGULATION BY
11 A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE, EXCEPT
12 THAT A PUBLIC AIRPORT OPERATOR THAT OPERATES A PUBLIC AIRPORT PURSUANT TO
13 SECTION 28-8421, 28-8423 OR 28-8424 OR A PUBLIC BODY OPERATING A PUBLIC
14 AIRPORT MAY ESTABLISH THE NUMBER OF LIVERY VEHICLES, TAXIS OR LIMOUSINES THAT
15 MAY CONDUCT BUSINESS AT A PUBLIC AIRPORT OR MAY SET ADDITIONAL OR MORE
16 RESTRICTIVE REQUIREMENTS FOR THE CONDUCT OF THAT BUSINESS AT A PUBLIC
17 AIRPORT.

18 Sec. 3. Repeal

19 Section 41-2052, Arizona Revised Statutes, is repealed.

20 Sec. 4. Title 41, chapter 15, article 1, Arizona Revised Statutes, is
21 amended by adding a new section 41-2052, to read:

22 41-2052. Livery vehicle, taxi and limousine regulation; state
23 preemption

24 THE REGULATION AND USE OF LIVERY VEHICLES, TAXIS AND LIMOUSINES ARE OF
25 STATEWIDE CONCERN. LIVERY VEHICLES, TAXIS AND LIMOUSINES AND THEIR USE THAT
26 ARE REGULATED PURSUANT TO THIS TITLE ARE NOT SUBJECT TO FURTHER REGULATION BY
27 A COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE, EXCEPT
28 THAT A PUBLIC AIRPORT OPERATOR THAT OPERATES A PUBLIC AIRPORT PURSUANT TO
29 SECTION 28-8421, 28-8423 OR 28-8424 OR A PUBLIC BODY OPERATING A PUBLIC
30 AIRPORT MAY ESTABLISH THE NUMBER OF LIVERY VEHICLES, TAXIS OR LIMOUSINES THAT
31 MAY CONDUCT BUSINESS AT A PUBLIC AIRPORT OR MAY SET ADDITIONAL OR MORE
32 RESTRICTIVE REQUIREMENTS FOR THE CONDUCT OF THAT BUSINESS AT A PUBLIC
33 AIRPORT.

34 Sec. 5. Section 41-2096, Arizona Revised Statutes, is amended to read:

35 41-2096. Signage

36 A. A taxi or livery vehicle shall display interior signage that
37 contains the licensee's business name and address and that is all of the
38 following:

39 1. Permanent.

40 2. In letters at least one-half inch in height.

41 3. Readily visible.

42 4. Accurately representative of all fares and the fare computation
43 method.

44 B. A TAXI OR LIVERY VEHICLE SHALL DISPLAY INTERIOR SIGNAGE THAT
45 CONTAINS THE DRIVER'S NAME AND IS READILY VISIBLE TO PASSENGERS.

1 ~~B.~~ C. A taxi is required to display exterior signage that contains
2 the licensee's business name and telephone number, that contains the word
3 "taxi" or "cab" and that is all of the following:

- 4 1. Permanent.
5 2. In letters at least three inches in height.
6 3. Readily visible and a minimum of one inch in height for fare
7 information.
8 4. Accurately representative of all fares and the fare computation
9 method.

10 ~~C.~~ D. For purposes of this section, a livery vehicle shall display
11 exterior signage that is readily visible while the livery vehicle is not
12 occupied by a paying passenger. The signage must contain the business name
13 and the words "livery car" in letters at least three inches in height and
14 shall include fare information at least one inch in height. When a livery
15 vehicle has accepted a passenger and a fare has been determined, a livery
16 vehicle may remove the exterior signage.

17 Sec. 6. Title 41, chapter 15, article 4, Arizona Revised Statutes, is
18 amended by adding section 41-2097, to read:

19 41-2097. Livery vehicle, taxi and limousine, criminal
20 background checks; vehicle maintenance records

21 A. AN OWNER OF A LIVERY VEHICLE, TAXI OR LIMOUSINE LICENSED THROUGH
22 THE DEPARTMENT SHALL HAVE AVAILABLE FOR INSPECTION AT ALL TIMES BY THE
23 DEPARTMENT WRITTEN EVIDENCE OF CRIMINAL BACKGROUND CHECKS OF ANY DRIVERS
24 OPERATING A LIVERY VEHICLE, TAXI OR LIMOUSINE FOR THE OWNER, WHETHER AS AN
25 EMPLOYEE OR LESSEE. THE CRIMINAL BACKGROUND CHECK SHALL BE COMPLETED PRIOR
26 TO THE DRIVER BEING ENGAGED AS AN EMPLOYEE OR LESSEE.

27 B. AN OWNER OF A LIVERY VEHICLE, TAXI OR LIMOUSINE LICENSED THROUGH
28 THE DEPARTMENT SHALL HAVE AVAILABLE FOR INSPECTION AT ALL TIMES BY THE
29 DEPARTMENT ALL VEHICLE MAINTENANCE RECORDS OF ALL THE OWNER'S LIVERY
30 VEHICLES, TAXIS OR LIMOUSINES. SUCH MAINTENANCE RECORDS SHALL BE UPDATED AT
31 LEAST ANNUALLY.

APPROVED BY THE GOVERNOR APRIL 13, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2011.

Passed the House April 6, 2011,

by the following vote: 53 Ayes,

5 Nays, 2 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate March 9, 2011,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

Channon Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

7 day of April, 2011,

at 2:00 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 13th day of

April, 2011,

at 12:49 o'clock P M.

[Signature]
Governor of Arizona

S.B. 1375

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 13th day of April, 2011,

at 4:59 o'clock P M.

[Signature]
Secretary of State